

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:16-CV-298-BO

GARY and ANNE CHILDRESS, *et al.*,)
)
Plaintiffs,)
v.)
)
JPMORGAN CHASE & CO., *et al.*,)
)
Defendants.)

ORDER

This matter is before the Court several pending motions, including a motion to modify the scheduling order and a motion to stay. A hearing on the matters was held before the undersigned on January 26, 2018, at Raleigh, North Carolina. Having considered the pending matters and the arguments of counsel, the Court holds as follows:

Plaintiffs' motion to stay consideration of defendants' motion for summary judgment or to exclude [DE 91] is GRANTED. Plaintiffs' motion to expedite consideration of their motion to stay [DE 95] is also GRANTED. The Court will STAY its consideration of defendants' motion for summary judgment [DE 71], and therefore DENIES IT WITHOUT PREJUDICE, with permission to re-file and incorporate the prior filing by reference upon the completion of damages discovery. As a hearing has been held on the pending matters, defendants' motion for conference [DE 100] is DENIED AS MOOT.

Defendants' motion for extension of time to respond to plaintiffs' motion for class certification [DE 119] is GRANTED IN PART; defendants shall file their response not later than February 16, 2018.

Plaintiffs' second motion to modify scheduling order [DE 78] is GRANTED IN PART.

The following deadlines are imposed:

1. Fact discovery on liability and class certification will close on September 1, 2018;
2. Expert discovery on liability and class certification will close on October 1, 2018;
3. The deadline for filing dispositive motions is November 1, 2018;
4. The deadline for status conference and joint status report to establish damages discovery plan is November 15, 2018.

As to plaintiffs' second motion to compel [DE 80], the parties are ORDERED to meet and confer to attempt to resolve that motion in light of the foregoing. The parties shall notify the Court not later than February 12, 2018, as to the status of such conference and, if a ruling on the motion to compel remains necessary, what, if any, response has been provided by the Office of the Comptroller of the Currency to the parties' inquiry regarding the non-public disclosure of documents.

SO ORDERED, this 5 day of February, 2018.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE